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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/480,861 | 01/11/2000 | Hiroki Yonezawa | 35.C14173 | 4852 |
| 5514 | 7590 | 09/08/2006 | EXAMINER | |
| FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112 | | | AN, SHAWN S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2621 | |

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/480,861 | YONEZAWA ET AL. | |
| | Examiner | Art Unit | |
| | Shawn S. An | 2621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 June 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 15,16,20-22,32,36,38,42 and 45-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 15,16,20-22,32,36,38,42 and 45-48 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Response to Amendment

1. As per Applicant's instructions as filed on 6/14/06, claims 15, 32, 36, 38, and 47-48 have been amended, claims 1-14, 17-19, 23-31, 33-35, 37, 39-41, 43-44, and 49-51 have been canceled.

Response to Remarks

2. As per Applicant's arguments with respect to amended claims as above, please refer to the following new ground(s) of rejection incorporating the previously cited prior art reference.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 15-16, 20-22, 32, 36, 38, 42, and 45-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawai et al (6,680,746 B2).

Regarding claims 15, 32, and 36, Kawai et al discloses a communication medium which stores a computer program (Fig. 1, elements 24, 26), a communication

method, and a communication apparatus connected to at least one camera and another communication apparatus, comprising:

 a management device (Fig. 1, 20) that manages one map file (Fig. 1, 28; col. 5, lines 60-62) representing a location at which the at least one camera is disposed (Figs. 2 and 50), wherein the one (bit) map file is identically used, in common for display, by a plurality of communication apparatuses (Fig. 6; col. 9, lines 31-54), and wherein the map file includes a symbol image to be superimposed on a map image (col. 27, lines 25-50; col. 28, lines 30-41);

 a reception device (Figs. 1 and 46, element 22) for receiving the information concerning the zoom state (Fig. 2, 46; Fig. 49, 88) of at least one camera (10-1);

 a processing device (Fig. 4, S14-S15) that, in response to receiving the information the zoom state of the camera, updates the symbol image to a new symbol image according to the received information, and generates a new map file including the new symbol image to be superimposed on the map image (Fig. 2, 46, see zoom; Fig. 4, S20-S21; col. 9, lines 1-4);

 a second reception device that receives a request to transmit the one map file, from a communication apparatus included in the plurality of communication apparatuses via a network (col. 9, lines 41-54); and

 a transmission device (Figs. 1 and 46, 36) for transmitting the new map file generated by the processing device to the communication apparatus, which requests the one map image, via the network (col. 25, lines 40-58).

Regarding claim 16, Kawai et al discloses one monitor (28) receiving image data taken by the at least one camera (10-1).

Regarding claims 20-21 and 45-46, Kawai et al discloses communication apparatus being integrally provided as a unit with one of the at least one camera (Figs. 1 and 46, element 10) and also provided with at least one monitor (28).

Regarding claims 22 and 47, Kawai et al discloses transmission means transmitting the one map file in correspondence with the change of the state of the at least one camera (abs.).

Regarding claims 38 and 48, Kawai et al discloses the processing device being (including) a bitmap image (bit-map file) (Fig. 53; col. 30, lines 4-17).

Regarding claim 42, Kawai et al discloses another communication apparatus receiving image taken by at least one camera (Fig. 6, 50-n).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S. An* whose telephone number is 571-272-7324.

7. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SHAWN AN
PRIMARY EXAMINER

9/02/06